IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CE,CUSTOMS GOLD CONTROLL REF. No 5 of 1995

For Approval and Signature:

HON'BLE MR.JUSTICE M.S.SHAH
and
HON'BLE MR.JUSTICE A.M.KAPADIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

ODHAVJI NATHALAL DHAKAN

Versus

COLLECTOR OF CUSTOMS (P)

Appearance:

1. CE,CUSTOMS GOLD CONTROLL REF. No. 5 of 1995
SERVED BY RPAD - (N) for Petitioner No. 1
MS DHARMISHTA RAVAL for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE M.S.SHAH
and
HON'BLE MR.JUSTICE A.M.KAPADIA

Date of decision: 15/03/2004

ORAL JUDGEMENT

(Per : HON'BLE MR.JUSTICE M.S.SHAH)

When the Reference is called out for final hearing, none appears for the applicant-assessee though

duly served. The office endorsement indicates that the paper book is also not filed. Ms Dharmishta Raval, learned Standing Counsel for the Central Government appears for the respondent-authorities.

Since Reference is pending since 1995 and still the applicant at whose instance the reference was made has chosen not to file the paper book, we decline to answer the questions referred for our opinion.

The Reference accordingly stands disposed of.

(M.S. SHAH, J.)

(A.M.KAPADIA, J.)

zgs/-